

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

REVOLAZE, LLC,

Plaintiff,

v.

DENTONS US LLP, *et al.*,

Defendants.

Case No. \_\_\_\_\_

(Formerly Case No. CV-16-861410 in the  
Common Pleas Court of Cuyahoga County,  
Ohio)

**NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, Defendants Dentons US LLP, Mark L. Hogge, and Steven J. Stein hereby remove this civil action filed by Plaintiff Revolaze, LLC in the Common Pleas Court of Cuyahoga County, Ohio, to the United States District Court for the Northern District of Ohio. In support of the removal, Defendants state as follows:

**I. Background**

1. On April 4, 2016, Plaintiff filed this civil action in the Common Pleas Court of Cuyahoga County, Ohio, against Defendants. The case is captioned *Revolaze, LLC v. Dentons US LLP, et al.*, Case No. CV-16-861410 (“Plaintiff’s State Court Action”).

2. Plaintiff served the Summons and Complaint on Dentons US LLP on April 7, 2016. Plaintiff served the Summons and Complaint on Mark L. Hogge and Steven J. Stein on April 8, 2016. A true and correct copy of the Summons and Complaint in Plaintiff’s State Court Action is attached as Exhibit 1.

3. Plaintiff’s State Court Action purports to assert claims against all three Defendants for legal malpractice (Count I) and breach of fiduciary duty (Count II). Plaintiff seeks compensatory damages in excess of \$50 million. Ex. 1, Compl. at 38-41.

## II. Removal Based On Diversity Jurisdiction

4. This Court has original diversity jurisdiction over Plaintiff's State Court Action under 28 U.S.C. § 1332.

5. Section 1332 provides, in pertinent part, that the "district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between . . . citizens of different States." 28 U.S.C. § 1332(a)(1).

6. Here, both of the requirements for original diversity jurisdiction under 28 U.S.C. § 1332 are satisfied.

7. Upon information and belief, complete diversity exists between Plaintiff and Defendants, thus satisfying the diversity requirement of 28 U.S.C. § 1332(a)(1).

8. Plaintiff is a Delaware limited liability company with its principal place of business at 29307 Clemens Road, Westlake, Ohio 44145. Ex. 1, Compl. ¶ 1.

9. Upon information and belief based on a reasonable investigation of public records, Plaintiff's members are citizens of Ohio, Delaware, and Michigan.

10. Dentons US LLP is a limited liability partnership. It has offices in Arizona, California, Colorado, Florida, Georgia, Illinois, Louisiana, Massachusetts, Missouri, New Jersey, New York, Texas, Virginia, and the District of Columbia. Ex. 2, Decl. of Jill Maganza-Ruiz ¶ 2. No partner of Dentons US LLP is a citizen of Ohio, Delaware, or Michigan. *Id.* at ¶ 4.

11. Mark L. Hogge is citizen of Virginia.

12. Steven J. Stein is a citizen of Connecticut.

13. Plaintiff seeks in excess of \$50 million in compensatory damages and punitive damages in an unspecified amount. Ex. 1, Compl. at 38-41.

14. Plaintiff's damages request is determinative of the amount in controversy for purposes of determining federal jurisdiction. *See St. Paul Mercury Indemnity Co. v. Red Cab Co.*, 303 U.S. 283, 288 (1938).

### **III. Compliance With Removal Procedures**

15. This Notice of Removal is timely pursuant to 28 U.S.C. § 1446(b), which allows a defendant to remove a case within thirty days of receipt of the initial pleading setting forth the claim for relief upon which such action or proceeding is based. The earliest date any Defendant received the Summons and Complaint was April 6, 2016.

16. Under 28 U.S.C. § 1441(a), venue for Plaintiff's State Court Action is proper in this Court, which is the district embracing the place where the state action is pending.

17. Copies of documents filed in Plaintiff's State Court Action are attached as Exhibit 3, in accordance with 28 U.S.C. § 1446(a).

18. In accordance with 28 U.S.C. § 1446(d), promptly after filing this Notice of Removal, Defendants will provide written notice of the removal to Plaintiff and will file a copy of the Notice of Removal with the Clerk of the Common Pleas Court of Cuyahoga County, Ohio.

### **IV. Reservation Of Rights**

19. Defendants reserve the right to amend or supplement this Notice of Removal.

20. Defendants deny the allegations in Plaintiff's Complaint. No admission of law or fact is intended by the filing of this Notice of Removal, and all defenses, affirmative defenses, and motions are hereby preserved.

WHEREFORE, Defendants respectfully request that this Court assume jurisdiction over this matter and grant such other and further relief as this Court deems just and proper.

Dated: May 4, 2016

Respectfully submitted,

s/ Tracy K. Stratford

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing was served via United States mail this 4th day of May 2016 upon the following:

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